

IC 31-16-2

Chapter 2. Actions for Child Support

IC 31-16-2-1

Applicability of Indiana Rules of Civil Procedure

Sec. 1. Proceedings under this chapter and IC 31-16-3 through IC 31-16-12 must comply with the Indiana Rules of Civil Procedure.
As added by P.L.1-1997, SEC.8.

IC 31-16-2-2

Cause of action established

Sec. 2. A cause of action for child support is established.
As added by P.L.1-1997, SEC.8.

IC 31-16-2-3

Caption; standing

Sec. 3. A proceeding for child support must be commenced by the filing of a petition entitled, "In Re the support of _____". The petition may be filed by any person entitled to receive child support payments.
As added by P.L.1-1997, SEC.8.

IC 31-16-2-4

Verified petition; averments

Sec. 4. A petition for child support:

- (1) must be verified; and
- (2) must set forth the following:
 - (A) The relationship of the parties.
 - (B) The present residence of each party.
 - (C) The names and addresses of:
 - (i) each living child less than twenty-one (21) years of age; and
 - (ii) each incapacitated child;
 - of the marriage.
 - (D) The relief sought.

As added by P.L.1-1997, SEC.8.

IC 31-16-2-5

Service of petition and summons

Sec. 5. Whenever a petition is filed, a copy of the petition, including a copy of a summons, shall be served upon the person alleged to be responsible for child support in the same manner as service of summons in civil actions generally.
As added by P.L.1-1997, SEC.8.

IC 31-16-2-6

Residence

Sec. 6. In an action for child support under section 2 of this chapter, one (1) of the parties must reside in the county at the time of the filing of the action.

As added by P.L.1-1997, SEC.8.

IC 31-16-2-7

Responsive pleading or counter petition

Sec. 7. A responsive pleading or a counter petition may be filed under this chapter or IC 31-16-3 through IC 31-16-12.

As added by P.L.1-1997, SEC.8.

IC 31-16-2-8

Decree; findings; scope

Sec. 8. (a) The court shall enter a decree in an action under section 2 of this chapter when the court finds:

- (1) that there is a duty to support by the person alleged to have the duty;
- (2) that the duty to support has not been fulfilled; and
- (3) that an order should be entered under IC 31-16-6-1.

(b) The decree may include orders as provided for in IC 31-16-3 through IC 31-16-12.

As added by P.L.1-1997, SEC.8.